



Federal Communications Commission  
Washington, D.C. 20554

December 13, 2012

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Re: Measuring Broadband America Program, GN Docket No. 12-264

Dear Ms. Dortch:

On December 12, 2012, representatives of wireless broadband providers met in person and via conference call with Commission staff to discuss the Commission's broadband measurement and performance program for broadband performance on mobile handsets. The agenda of the meeting included a review of current work items, milestones, and a discussion of privacy issues and the formation of a breakout group to produce a privacy policy.<sup>1</sup>

Walter Johnston, Chief Electromagnetic Compatibility Division (EMCD), and James Miller, Senior Attorney Advisor EMCD, introduced Alex Salter, CEO SamKnows, to discuss current progress and present screen markups of the mobile applications in development. Mr. Salter discussed that schedule was proceeding after revisions brought about by the Thanksgiving holiday and storm activity experienced in November 2012 in the North-East U.S. He presented detail regarding proposed test criteria and data elements before presenting graphic screen markups of the smartphone application data flow. He explained that the markups were intended to provide a view of the current development. He described the components of the data collection platform and fielded various questions. Mr. Salter answered questions regarding where data was stored and how often, and explained that results were immediately pushed to the cloud after completion of the test.

Responding to various questions, Mr. Salter explained that the application was currently deployed in various countries and asked persons inquiring about language support options to provide any preferences, but stated that Spanish was currently being considered in addition to English. Mr. Salter discussed that customization of the applications would be possible, and Mr. Johnston discussed that various enterprise entities had inquired about support for testing of employees' broadband services. Participants discussed possible security implications for allowing third-parties to develop software independently, and the possibility of a security review of the application to help identify possible problems. Mr. Salter explained that the applications would employ security measures to ensure only appropriate software was able to interact with the testing platform. He explained that WiFi traffic would be tagged separately from other traffic and that total test traffic would be recorded by the application. He noted that screens

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<sup>1</sup> A list of attendees and all documents circulated for the meeting are made available with this electronic filing in GN Docket No. 12-264.

displaying a privacy agreement selected as approved and opt-in, were to demonstrate an approved state, and that all application aspects would strictly follow the privacy policies adopted for the program.

Mr. Johnston introduced Mr. Miller to continue discussions regarding the ongoing privacy policy development for the program. Mr. Miller opened the discussion asking for feedback from participants on the document presented at the November 28, 2012 mobile collaborative meeting and described the ongoing review.<sup>2</sup> He explained that internal review was ongoing and described feedback received since the last meeting suggested that focusing on the specific kinds of data products that the program would be beneficial. Identifying the data elements and engineering considerations related to the various proposed data products, identified as “use cases in the November 28 documents, would help to narrow the relevant privacy concerns and benefits for specific contributors and users of the data products. By focusing on the specific products, it was also suggested that policies could be more specifically tailored to the kinds of data and processing that would be implicated by a given data product, and a volunteer’s level of commitment to supplying the data necessary to produce the product.

Mr. Miller explained that the privacy policies adopted for the fixed programs were tailored to the particular combination of Internet Protocol test results, Census Block Group level of geographic scope, and other broadband characteristics of the fixed program. While the active statistics are largely unchanged for mobile performance measurement, the privacy review was currently focusing on the implications of combining data available from handsets and the radio and what level of aggregation may be necessary to ensure that data was not linkable across the released databases or other available sources to prevent leaving “breadcrumbs” that could identify characteristics about a single handset. Reification or “linkability” across data released by the program and other third parties was discussed as a concern that staff would seek expert advice on from academics specializing in mathematical modeling in the area. It was discussed that thresholds for minimum numbers of samples and aggregation and data processing strategies would also be reviewed. Mr. Miller shared feedback received that privacy policies could also flag for volunteers specific scenarios that could create reification problems so volunteers with any heightened concerns could take extra care to eliminate even unlikely scenarios.

Participants discussed that the ability to reference a handset’s GPS data would be necessary for compelling mapping purposes, such as identifying indoor or outdoor usage, mapping areas where no coverage was available, and for calculating the location of a cell tower for mapping purposes. Segmenting the results of certain test into separate categories was discussed as a possible solution to balancing the value of referencing GPS data for limited purposes. How results in the IP active test results together with other results might present concerns was also discussed, and more discussion of the the policy of masking IP address results in the first year of the fixed program was discussed as future topic of interest.

Mr. Miller explained that staff would continue to be available for individual meetings, but that materials and open WebEx or teleconference calls open to all interested stakeholders would be announced on the collaborative mailing list. He scheduled a group call tentatively for December 21, 2012 to continue discussion and review a first draft of a privacy policy statement.

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2 Measuring Broadband America Program’s Mobile Measurement Privacy Policy and Implementation Review Document (Draft), available at <http://apps.fcc.gov/ecfs/document/view?id=7022069988>.

Mr. Miller acknowledged that the schedule of the privacy review was aggressive in light of the coming holidays but thanked participants for their valuable contributions, and expressed the hope that review of a draft of the privacy statement and supporting technical documents could be completed by the end of the calendar year. He explained that because meetings would likely be shorter than the mobile collaborative meetings scheduling of calls around the holidays would be challenging, he cautioned that the conference call schedules would remain fluid.

Mr. Johnston again emphasized that the development of a privacy policy statement and other supporting documents would be a critical near-term goal and that no data gathering would commence prior to the development of the policies to protect consumers' privacy concerns. He thanked participants for the contributions and expressed appreciation for their commitment to the meeting schedules.

Staff explained that new meeting schedulers would be distributed to the mailing list in a timely manner to facilitate participants travel arrangements but no dates for the 2013 year had yet been confirmed.

Sincerely,



Walter Johnston, Chief  
Electromagnetic Compatibility Division/OET

## Attendees

<b>Name</b>	<b>Organization</b>
Jeanine Poltronieri	AT&T
Mike Pfau	AT&T
Sherry Ramsey	AT&T
Joe Marx	AT&T
Terri Hoskins	AT&T
C. Sean Spivey	CCA
Marc Linsner	Cisco
Matthew Schwartz	CDaily
Roger B.Marks	Consensii
Krista Witnowski	CTIA
Erin Kenneally	eLCHEMY
Alec MacDonell	FCC
Deborah Broderson	FCC
Joel Taubenblatt	FCC
Jennifer Tatel	FCC
James Miller	FCC
Walter Johnston	FCC
Peter Miller	FTC
Pamela Hartka	MetroPCS / Telecommunications Law Professionals
Christopher Fleming	Microstrategy
Craig Mueller	Microstrategy
Neha Rawal	NCSU
Doug Montgonmery	NIST
Derek Khlopin	Nokia Siemens Networks
Doug Hohulin	Nokia Siemens Networks
Michael Schwab	P3 Communications
Naidu, Mullaguru	Qualcomm
Nasielski, Jack	Qualcomm
Sarkar, Sandip	Qualcomm
Scott Coull	Redjack
Alex Salter	SamKnows
Rachel Neish	SamKnows
Sam Crawford	SamKnows
Michael Archer	Sprint
Breck Blalock	Sprint
Ronald Braun	Sprint
Christopher Wiczorek	T-Mobile
Luisa Lancetti	T-Mobile
Christy Kunin	T-Mobile
Ankur Kapoor	T-Mobile
Ryan Jensen	T-Mobile
Changbo Wen	T-Mobile
Shellie Blakeney	T-Mobile

Jim Warner  
David Young  
Kitty O'Hara  
William Wallace  
Henry Gola  
May Chiang

UCSD  
Verizon  
Verizon  
Verizon  
Wiley Rein  
Wiley Rein LLP